

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Feb 25, 2025

SEAN F. MCAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DOUGLAS ROBERT JARED

Defendant.

No. 2:25-CR-00012-RLP-1

STIPULATED PROTECTIVE
ORDER REGARDING COMPUTER
FORENSIC REVIEW
PROCEDURES FOR CHILD
PORNOGRAPHY CONTRABAND

Before the Court is the parties' Stipulation Regarding Computer Forensic Review Procedures for Child Pornography Contraband, ECF No. 20. The parties stipulate and agree the Court should enter a Protective Order that will encompass computer forensic review procedures for child pornography contraband in the above-captioned case. Good cause exists to enter the requested Protected Order

Accordingly, **IT IS ORDERED:**

1. The parties' Stipulation Regarding Computer Forensic Review Procedures for Child Pornography Contraband, ECF No. 20, is

GRANTED.

STIPULATED PROTECTIVE ORDER REGARDING COMPUTER FORENSIC
REVIEW PROCEDURES FOR CHILD PORNOGRAPHY CONTRABAND * 1

1 2. The Court enters the following Protective Order Regarding Computer
2 Forensic Review Procedures for Child Pornography Contraband:

- 3 a. 18 U.S.C. § 3509(m) applies to this case, and the Court is required to
4 deny defense requests to copy, photograph, duplicate, or otherwise
5 reproduce material constituting child pornography if the government
6 makes the material reasonably available to Defendant and provides an
7 ample opportunity for the defense to examine it at a government
8 facility. See 18 U.S.C. § 3509(m).
- 9 b. In order to comply with 18 U.S.C. § 3509(m), and to allow each
10 Defendant the greatest opportunity to prepare an effective defense in
11 preparation for trial in this matter, the government will make a
12 forensic copy or “image” of devices and media containing alleged
13 child pornography contraband at issue in the above-referenced case.
14 The government will make any forensic images reasonably available
15 to each Defendant and provide ample opportunity for the defense team
16 to examine them at a government facility in Spokane, Washington.
17 The parties may readdress the Court if there is a need for additional or
18 after-hours access during the course of litigation in the event trial or
19 motion hearings require additional forensic review.
- 20

1 c. Each defense forensic examination may be conducted in an interview
2 room monitored by closed-circuit television (“CC-TV”), without
3 audio feed. If so, the TV with non-audio feed will ensure the integrity
4 of government agency space and security of its occupants, and will
5 not be of sufficient detail or at an angle that would reveal defense
6 strategy. The government and its agents will make no attempt to
7 record any audio from the workstation and no attempt to observe
8 either defense team’s work product or computer monitor screen at any
9 time. Each defense expert may review the feed to ensure that defense
10 strategy is not being compromised at any time while conducting the
11 forensic review.

12 d. Neither defense team¹ shall make, nor permit to be made, any copies
13 of the alleged child pornography contraband pursuant to this
14 Protective Order, nor will they remove any contraband images from
15 the government facility. Each defense expert will be allowed to copy
16 any file that is not contraband and compile a report (without
17

18 ¹ For purposes of this Protective Order, the term “defense team” refers solely to
19 Defendant’s counsel of record (“defense counsel”), Defendant’s designated
20 expert (“defense expert”), and a defense investigator.

1 contraband images/videos) documenting the examination on
2 removable media at the discretion of the defense expert.

- 3 e. Any defense counsel and/or designated defense expert will leave at
4 the government facility any equipment, including hard drives, which
5 contain child pornography contraband that is identified during
6 forensic evaluation.
- 7 f. For the purpose of trial, the government will make available a digital
8 copy of any government trial exhibit that contains contraband, which
9 will be kept in the custody and control of the case agent. Upon
10 reasonable notice by the defense, the case agent will also maintain for
11 trial digital copies of any proposed defense exhibit that contains
12 contraband. If the defense team intends to offer, publish, or otherwise
13 utilize any government or defense exhibit contained on the digital
14 copy maintained by the case agent during trial, the case agent shall
15 assist the defense team in publishing or utilizing the exhibit that
16 contains contraband upon reasonable notification by the defense team.

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